

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars.

1. In the claims

As shown in the foregoing LIST OF CURRENT CLAIMS, the claims have been amended to more clearly point out the subject matter for which protection is sought.

A. Claim amendments

Claim 1 is amended to incorporate the features of claim 7, and claim 10 is similarly amended to recite that the table is bowed such that the sheets of the quire are partly rolled up. It is respectfully submitted that no new matter is added, since the changes merely merge the subject matter of previously presented claims and support for the amendments may be found, for example, at least in Figs. 10 and 11 of the pending application and, for example, at least on page 6, lines 14-24 of the accompanying description in the specification as originally filed.

Claim 7 is canceled and the features thereof added to amended claim 1

Claims 2-6, 8, 9, and 11-15 are left unchanged.

Entry of the LIST OF CURRENT CLAIMS is respectfully requested in the next Office communication.

B. Rejection of claim 7 under 35 U.S.C. § 112 second paragraph

This rejection is rendered moot by the cancellation of claim 7.

Accordingly, withdrawal of this rejection is respectfully requested.

2. Rejection of claims 1-15 under 35 U.S.C. § 102(b) as being anticipated by U.S. patent no. 4,364,737 (Sowden)

Reconsideration of this rejection is respectfully requested, in view of the amendments to claims 1 and 10, on the basis that the *Sowden* patent fails to disclose each and every recited element of amended claims 1 and 10. The remaining claims

depend from either claim 1 or 10, and are therefore patentable as containing all of the recited elements of claims 1 or 10, as well as for their respective recited features.

By way of review, the method recited in amended claim 1 is a method for binding a quire formed of folded sheets slipped into each other. At least one cut through the sheets of the quire is provided at a short distance from the folding edge of the quire. The method also includes at least partly rolling up the quire before the cut is provided near the folding edge.

In a similar fashion, amended claim 10 recites a device for binding a quire that includes a table and at least one cutting means arranged to enable the making of at least one cut in the different sheets of the quire to form a lip. The table is also bowed, so that the sheets of the quire are at least partly rolled up.

As can be seen in Figs. 10 and 11 of the pending application, when the quire formed of folded sheets slipped into each other is at least partly rolled up, prior to cutting, the successive sheets of the quire are slightly shifted in relation to each other. After the cuts in the sheets are made, and the quire is unrolled, the widened portions of the lips formed in successive sheets will mesh under the side edges of the cut in the back sheet to provide a more secure connection for the quire (specification, page 6, lines 6-24).

In contrast to amended claims 1 and 10, the *Sowden* patent fails to disclose a method of binding a quire formed of folded sheets slipped into each other, where the quire is at least partly rolled up before a cut is provided near the folding edge, or a device for binding a quire that includes a table that is bowed, so that the sheets of the quire are at least partly rolled up, as is respectively required by amended claims 1 and 10.

Turning to the *Sowden* patent, an apparatus for connecting together a plurality of webs of flexible material is disclosed (col. 1, lines 23-25). The apparatus includes a base and an elongate arm 4 pivotally connected to the base (col. 2, lines 54-66). A punching head section 6 of the arm cooperates with a T-shaped slot 3 formed in an anvil section 2 of the base to punch through sheets to connect the sheets together (generally col. 1, lines 49-55).

A rectangular wire guide 18 is positioned at the front of the base and two substantially U-shaped wire guides 10, 11 project upwardly from the base and are utilized to fold only the corners of two sheets back on themselves, as the shape of the guide 18 will eventually prevent the sheets from being fed any further forward into the apparatus (Figs. 1 and 2; col. 1, lines 49-51; col. 3, lines 6-8, 15, 18, 41-49). As can be seen in Fig. 2, the corners of the sheets are folded over without any relative shifting between the two sheets.

In contrast to amended claim 1, however, the *Sowden* patent discloses only folding over the corner of the sheets, and not a quire formed of folded sheets slipped into each other. The difference can clearly be seen in Figs. 4-7, 10, and 11 of the pending application, where the sheets are successively individually folded and retain one or more folded sheets therein, in contrast to Figs. 1 and 2 of the *Sowden* patent, which clearly disclose only the corners of the sheets being folded over.

Further, because the wire guide 18 of the *Sowden* patent is specifically designed to only allow the corners of the sheets to be folded over, a person having ordinary skill in the art would not have used the apparatus of the *Sowden* patent to perform the method of binding a quire formed of folded sheets slipped into each other, as is required by amended claim 1.

Further still, while the *Sowden* patent does disclose *folding over* the corners of the sheets to be bound, the *Sowden* patent fails to disclose or suggest at least partly *rolling up* the quire to be bound, as is required by amended claim 1. As can be seen in Figs. 10 and 11 of the pending application, the entire quire of folded sheets is at least partly *rolled up*, in contrast to the corners of the sheets being *folded over*, as discussed and shown in Figs. 1 and 2 of the *Sowden* patent.

With respect to amended claim 10, while the *Sowden* patent does disclose wire guides 10, 11 extending from the base to *fold over* the corners of the sheets, the *Sowden* patent similarly fails to disclose or suggest that the base is bowed so that the sheets of the quire are at least partly *rolled up*, for the same reasons as discussed above with respect to claim 1.

Accordingly, the *Sowden* patent fails to disclose a method of binding a quire formed of folded sheets slipped into each other, where the quire is at least partly rolled up before a cut is provided near the folding edge, or a device for binding a quire that includes a table that is bowed, so that the sheets of the quire are at least partly rolled up, as is respectively required by amended claims 1 and 10, and withdrawal of this rejection is respectfully requested.

As mentioned above, applicant submits that independent claims 1 and 10 are patentable and therefore, claims 2-6, 8, 9, and 11-15, which depend from claims 1 and 10 respectively, are also considered to be patentable as containing all of the elements of respective claims 1 and 10, as well as for their respective recited features.

3. Conclusion

As a result of the amendment to the claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that every pending claim in the present application be allowed and the application be passed to issue.

Please charge any additional fees required or credit any overpayments in connection with this paper to Deposit Account No. 02-0200.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicant's attorney, the examiner is invited to contact the undersigned at the numbers shown below.

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Respectfully submitted,

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